

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FREDERICK SCHIFF,  
Plaintiff,

v.

CITY AND COUNTY OF SAN FRANCISCO,  
et al.,  
Defendants.

NARDA GILLESPIE et al.,  
Plaintiffs,

v.

CITY AND COUNTY OF SAN FRANCISCO,  
et al.,  
Defendants.

MARK OSUNA,  
Plaintiff,

v.

CITY AND COUNTY OF SAN FRANCISCO,  
et al.,  
Defendants.

No. C-03-4345 MMC  
No. C-04-2261 MMC  
No. C-04-2262 MMC

**AMENDED ORDER REFERRING TO  
MAGISTRATE JUDGE JOSEPH C.  
SPERO (1) PLAINTIFFS' "APPLICATION  
FOR AN ORDER TO SHOW CAUSE  
COMPELLING MARK SULLIVAN TO  
EXECUTE THE SETTLEMENT  
AGREEMENT OR IN THE ALTERNATIVE  
AN ORDER AFFIRMING THE  
SETTLEMENT AGREEMENT; AND AN  
ORDER FOR EQUITABLE  
DISTRIBUTION OF PROCEEDS  
PURSUANT TO AWARD OF  
ARBITRATOR IN THE ABSENCE OF AN  
AGREEMENT, OR IN THE ALTERNATIVE,  
FOR A SETTLEMENT CONFERENCE"  
AND (2) CITY'S MOTION TO ENFORCE  
SETTLEMENT AGAINST PLAINTIFF  
MARK SULLIVAN; ORDER REFERRING  
TO MAGISTRATE JUDGE SPERO  
CITY'S MOTION FOR ATTORNEYS'  
FEES AND COSTS AGAINST PLAINTIFF  
MARK SULLIVAN**

(Docket Nos. 198 and 203 in Case No.  
C-03-4345; Docket Nos. 133 and 138 in  
Case No. C-04-2261)

On March 23, 2007, plaintiffs Narda Gillespie, Donald Woolard, Michael Zurcher, Dennis Quinn, Michael Hughes, Gregory Mar, and Tom Feledy ("plaintiffs") filed, in Case No. C-04-2261, an application titled "Application for an Order to Show Cause Compelling Mark Sullivan to Execute the Settlement Agreement or in the Alternative an Order Affirming the Settlement Agreement; and an Order for Equitable Distribution of Proceeds Pursuant to Award of Arbitrator in the Absence of an Agreement, or in the Alternative, for a Settlement Conference," and noticed the matter for hearing before Magistrate Judge Joseph C. Spero, who presided over the settlement conference that resulted in the settlement agreement at issue. On April 4, 2007, plaintiffs renoticed the motion for hearing before the undersigned.<sup>1</sup>


Meanwhile, on March 26, 2007, defendant City and County of San Francisco ("City") filed, in Case No. C-03-4345, a "Motion to Enforce Settlement Agreement Against Plaintiff Mark Sullivan," and noticed the motion for hearing before Magistrate Judge Spero.

Finally, on May 23, 2007, the City filed, in Case No. C-03-4345, a "Motion for Attorneys' Fees and Costs Against Plaintiff Mark Sullivan," and noticed the motion for hearing before Magistrate Judge Spero.

Because Magistrate Judge Spero presided over the settlement conference and placed the settlement on the record, it is appropriate for Magistrate Judge Spero to hear all of the above-referenced matters. Accordingly, the above-referenced application and motions are hereby referred to Magistrate Judge Spero to be heard at the convenience of his calendar. The May 11, 2007 hearing noticed before the undersigned is hereby VACATED.

**IT IS SO ORDERED.**

Dated: June 29, 2007

  
 MAXINE M. CHESNEY  
 United States District Judge

<sup>1</sup> The reason for the renotice is not apparent from the record, but the Court understands it was at the request of court staff.